

AMENDED IN SENATE APRIL 6, 2015

**SENATE BILL**

**No. 690**

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**Introduced by Senator Stone**

February 27, 2015

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An act to amend Section ~~211~~ 637.7 of the Penal Code, relating to ~~robbery~~ *privacy*.

LEGISLATIVE COUNSEL'S DIGEST

SB 690, as amended, Stone. ~~Robbery~~-*Privacy*.

*Existing law makes it a misdemeanor to use an electronic tracking device to determine the location or movement of a person. Existing law defines electronic tracking device to mean any device attached to a vehicle or other movable thing that reveals its location or movement by the transmission of electronic signals.*

*This bill would expand those provisions to include using an electronic tracking device to determine the location or movement of an object as well as a person. The bill would define electronic tracking device as any electronic or mechanical device that permits the tracking of the movement of a person or object. By expanding the definition of a crime, this bill would create a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~Existing law makes it a felony to take personal property in the possession of another, from his or her person or immediate presence, and against his or her will, through the use of force or fear.~~

~~This bill would make technical, nonsubstantive changes to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 637.7 of the Penal Code is amended to*  
2     *read:*

3     637.7. (a) No person or entity in this state shall use an  
4     electronic tracking device to determine the location or movement  
5     of a ~~person~~. *person or object.*

6     (b) This section shall not apply when the registered ~~owner,~~  
7     *owner of a vehicle, the owner of an object, or the subscriber,* lessor,  
8     or lessee of a vehicle *or object* has consented to the use of the  
9     electronic tracking device with respect to that ~~vehicle~~. *vehicle or*  
10    *object.*

11    (c) This section shall not apply to the lawful use of an electronic  
12    tracking device by a law enforcement agency.

13    (d) As used in this section, “electronic tracking device” means  
14    ~~any device attached to a vehicle or other movable thing that reveals~~  
15    ~~its location or movement by the transmission of electronic signals.~~  
16    *electronic or mechanical device that permits the tracking of the*  
17    *movement of a person or object.*

18    (e) A violation of this section is a misdemeanor.

19    (f) A violation of this section by a person, business, firm,  
20    company, association, partnership, or corporation licensed under  
21    Division 3 (commencing with Section 5000) of the Business and  
22    Professions Code shall constitute grounds for revocation of the  
23    license issued to that person, business, firm, company, association,  
24    partnership, or corporation, pursuant to the provisions that provide  
25    for the revocation of the license as set forth in Division 3  
26    (commencing with Section 5000) of the Business and Professions  
27    Code.

28    *SEC. 2. No reimbursement is required by this act pursuant to*  
29    *Section 6 of Article XIII B of the California Constitution because*  
30    *the only costs that may be incurred by a local agency or school*  
31    *district will be incurred because this act creates a new crime or*  
32    *infraction, eliminates a crime or infraction, or changes the penalty*  
33    *for a crime or infraction, within the meaning of Section 17556 of*

1 *the Government Code, or changes the definition of a crime within*  
2 *the meaning of Section 6 of Article XIII B of the California*  
3 *Constitution.*

4 SECTION 1. ~~Section 211 of the Penal Code is amended to~~  
5 ~~read:~~

6 ~~211. Robbery is the felonious taking of personal property in~~  
7 ~~the possession of another, from his or her person or immediate~~  
8 ~~presence, and against his or her will, accomplished by means of~~  
9 ~~force or fear.~~